

*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION*

UNITED STATES OF AMERICA § CRIMINAL DOCKET 4:17-CR-651-02
versus §
GIOVANI ALECIO § JUDGE GRAY MILLER

DEFENDANT'S MOTION TO AMEND CONDITIONS OF RELEASE

TO THE HONORABLE GRAY MILLER:

Giovani Alecio asks the Court to amend his conditions of release and shows the following supporting this request:

1. Alecio was in pretrial detention from November 7, 2017, until February 10, 2020, when the Court granted an unopposed motion to set conditions of release because Alecio was close to or at “time served” for the sentence he would likely receive. Alecio was initially charged in a sex trafficking conspiracy. However, the government recognized Alecio was not involved in the conspiracy, and he pleaded guilty on March 14, 2019, to illegal dealing in firearms in violation of 18 U.S.C. § 922(a)(1)(A), which carries a five year maximum sentence. The remaining charges are to be dismissed at the time of sentencing.

2. The Magistrate Court released Alecio on conditions. (Docket entry 433)

3. One of the conditions is a travel restriction within Harris County. (Docket entry 433, page 2, section 7(f)). Alecio requests this be amended to the counties within the Southern District of Texas. Alecio would like to work with his step-father's roofing business. The current job site is located in Eagle Lake, Texas, in Colorado County. The roofing company often has jobs in areas outside of Harris County.

4. The Magistrate also imposed a variety of conditions restricting Alecio from being around

minors. (Docket entry 433, page 4, items 8, 14, 15, and 16). Alecio is required to live with his mother (docket entry 433, page 2, section 6), but Alecio's 13 year old nephew also lives in the home. Moreover, Alecio has other nieces and nephews who enjoy spending time with him as well. Alecio has no criminal history involving abuse of children or child pornography offenses. He asks that his conditions be amended to allow him to have unsupervised visits with minors who are members of his family.

5. Finally, Alecio's conditions of release also restrict his use of cell phones, computers, and the internet. (Docket entry 433, page 4, items 9, 10, 11, and 12). (He is also prohibited from using gaming consoles such as PlayStation, Nintendo, Xbox, etc. Alecio does not seek to have this condition changed as it does not affect him.) Alecio's work with his step-father is based on the roofing company's ability to obtain jobs. Alecio would like to use the internet to seek additional employment.

Conclusion

6. Alecio asks the Court to amend his conditions of release so that 1) his travel is restricted to the counties within the Southern District of Texas, 2) he can have unsupervised visits with minors who are members of family, and 3) he can use a cell phone, a computer, and the internet.

Respectfully submitted,

/s/ David Adler

David Adler
State Bar of Texas 00923150
6750 West Loop South
Suite 120
Bellaire (Houston), Texas 77401

(713) 666-7576
(713) 665-7070 (Fax)

Attorney for Defendant,
Giovani Alecio

CERTIFICATE OF SERVICE

A copy of this motion was served on the Assistant U.S. Attorney via CM/ECF on February 13, 2020.

/s/ David Adler

David Adler

CERTIFICATE OF CONFERENCE

AUSA Adam Goldman was opposed to expanding Alecio's travel area to the state of Texas, so defense counsel has reduced the requested travel area to the Southern District of Texas. Pretrial Services Officer Andrew Adame was not opposed to Alecio travelling to his family's ranch in Wharton County but is opposed to the other requests in this motion.

/s/ David Adler

David Adler

*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION*

UNITED STATES OF AMERICA

versus

GIOVANI ALECIO

§
§
§
§

CRIMINAL DOCKET 4:17-CR-651-02
JUDGE GRAY MILLER

ORDER ON DEFENDANT'S MOTION TO AMEND CONDITIONS OF RELEASE

Alecio's motion to amend his conditions of release is:

Granted,

Alecio's travel is restricted to the counties within the Southern District of Texas, 2) he can have unsupervised visits with minors who are members of family, and 3) he can use a cell phone, a computer, and the internet.

Denied.

Signed on February _____, 2020.

Gray Miller
United States District Judge